

Customer No. 24498
Attorney Docket No. PU030295
Final Office Action Date: December 8, 2008

Response under 37 CFR 1.116
EXPEDITED PROCEDURE
Examining Group 2423

Remarks/Arguments

Claims 1-16 are pending in this application, and are rejected in the final Office Action of December 8, 2008. No claim amendments are presented herein. However, a listing of the pending claims in this application accompanies this response for the Examiner's convenience.

Re: Rejection of Claims 2, 8 and 16 under 35 U.S.C. §112, First Paragraph

Claims 2, 8 and 16 are rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement. In particular, the Examiner alleges that the feature "the user input includes a user pressing a single key of remote control device" is not supported by the specification. Applicants respectfully traverse this rejection for at least the following reasons.

FIG. 6 and the accompanying description of Applicants' specification, for example, clearly indicate that user depression of the "INPUT" key of a remote control device at step 604 selects a video input source device, establishes a peer-to-peer connection between the selected video input source device and a digital recording device, and causes the digital recording device to record digital content provided from the selected video input source device (see, for example, the sequence of steps 604, 606, 608, 610 and 612 of FIG. 6). Accordingly, Applicants submit that their specification clearly supports the feature recited by claims 2, 8 and 16 in which "the user input includes a user pressing a single key of remote control device". In view of this clarification, withdrawal of the rejection is respectfully requested.

Re: Rejection of Claims 1-4, 6-10, 12-14 and 16 under 35 U.S.C. §103(a)

Claims 1-4, 6-10, 12-14 and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,442,328 issued to Elliot et al. (hereinafter, "Elliot") in view of U.S. Patent Publication No. 2003/0037335 by Gatto et al. (hereinafter, "Gatto"). Applicants respectfully traverse this rejection for at least the following reasons.

Customer No. 24498
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EXPEDITED PROCEDURE
Examining Group 2423

At the outset, Applicants first note that the claimed invention addresses and solves a problem related to how to provide a simplified peer-to-peer recording method and apparatus (see title). The claimed solution to this problem is defined by independent claim 1, for example, as follows:

"A method for operating a television apparatus connected to a digital serial bus to enable a recording function, the method comprising the steps of:

receiving a user input selecting a designated video input source device connected to the digital serial bus;

in response to the user input, establishing a peer-to-peer connection between the designated video input source device and a digital recording device connected to the digital serial bus; and

further in response to the user input, causing the digital recording device to record digital content provided from the designated video input source device, wherein data may be directly transferred between the designated video input source device and the digital recording device."
(emphasis added)

As indicated above, independent claim 1 defines a method which advantageously provides simplified peer-to-peer recording by enabling at least three different functions to be performed in response to a single user input to a television apparatus, namely, the functions of: (i) selecting a designated video input source device, (ii) establishing a peer-to-peer connection between the designated video input source device and a digital recording device; and (iii) causing the digital recording device to record digital content provided from the designated video input source device. Independent claims 7 and 13 recite subject matter similar to independent claim 1, as described above.

Neither Elliot nor Gatto, whether taken individually or in combination, discloses or suggests, *inter alia*, the simplified peer-to-peer recording solution defined by independent claims 1, 7 and 13. The primary reference, Elliot, discloses a system including a set-top box 100 connectable to a digital video recorder 200 (see FIG. 1-3). Digital video recorder 200 receives a real-time video signal 106 from set-top box 100 and provides a recorded video signal 108 to set-top box 100 during a playback interval.

Customer No. 24498
Attorney Docket No. PU030295
Final Office Action Date: December 8, 2008

Response under 37 CFR 1.116
EXPEDITED PROCEDURE
Examining Group 2423

Digital video recorder 200 also includes a disk 220 and a video data stream manager 230 that in response to real-time video signal 106 provides a first video stream 222 to store a selected video segment on disk 220. Video data stream manager 230, in response to commands from a microprocessor 140 in set-top box 100, receives a second video stream 223 based on the selected video segment stored on disk 220 to generate recorded video signal 108. Set-top box 100 also includes a multiplexer 150 that selects real-time video signal 106 during a real-time interval and selects recorded video signal 108 during the playback interval to generate an output video data stream to a display device 300 (see, for example, the Abstract, FIGS. 1-3 and their accompanying descriptions).

Elliot also generally discloses a user input 142 (again, see FIGS. 1-3) that includes commands (e.g., record, playback and display commands) from the user to control various operation parameters of set-top box 100 and digital video recorder 200 (see, for example, column 4, lines 40-51). However, Elliot nowhere discloses or suggests, *inter alia*, that a particular user input 142 is capable of enabling the performance of at least three different functions, including: (i) selecting a designated video input source device, (ii) establishing a peer-to-peer connection between the designated video input source device and a digital recording device; and (iii) causing the digital recording device to record digital content provided from the designated video input source device, as defined by independent claims 1, 7 and 13. Elliot does not say anything with regard to setting up a peer-to-peer connection between the devices. Rather, Elliot is concerned with a digital video recorder connected to a set top box. As such, Elliot fails to disclose or suggest the desirability of the claimed solution for providing simplified peer-to-peer recording.

Gatto is unable to remedy the above-referenced deficiencies of Elliot. In particular, Gatto discloses an interactive television device that is configured to receive and process multiple broadband input streams simultaneously. The device includes functionality to perform as a web browser, a cable and satellite television receiver, a digital PVR, an interactive set-top box, an advanced central processing unit and a

Customer No. 24498
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Response under 37 CFR 1.116
EXPEDITED PROCEDURE
Examining Group 2423

videoconferencing device. However, like Elliot, Gatto nowhere discloses or suggests, *inter alia*, that a particular user input is capable of enabling the performance of at least three different functions, including the functions of: (i) selecting a designated video input source device, (ii) establishing a peer-to-peer connection between the designated video input source device and a digital recording device; and (iii) causing the digital recording device to record digital content provided from the designated video input source device, as provided by independent claims 1, 7 and 13. As such, Gatto (like Elliot) also fails to disclose or suggest the desirability of the claimed solution for providing simplified peer-to-peer recording.

Accordingly, for at least the foregoing reasons, Applicants submit that independent claims 1, 7 and 13 and their respective dependent claims are non-obvious over the proposed combination of Elliot and Gatto, and withdrawal of the rejection is respectfully requested.

Re: Rejection of Claims 5, 11 and 15 under 35 U.S.C. §103(a)

Claims 5, 11 and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Elliot in view of Gatto, and further in view of U.S. Patent No. 6,788,882 issued to Geer et al. (hereinafter, "Geer"). Claims 5, 11 and 15 each ultimately depend from either independent claim 1, 7 or 13 described above. Applicants respectfully traverse this rejection for at least the same reasons pointed out above in conjunction with independent claims 1, 7 and 13 since Geer is unable to remedy the above-described deficiencies of Elliot and Gatto. In particular, Geer discloses a digital video recorder that is capable of concurrently receiving and digitally storing a plurality of channels (see, for example, the Abstract). However, like Elliot and Gatto, Geer nowhere discloses or suggests, *inter alia*, that a particular user input is capable of enabling the performance of at least three different functions, including the functions of: (i) selecting a designated video input source device, (ii) establishing a peer-to-peer connection between the designated video input source device and a digital recording device; and (iii) causing the digital recording device to record digital content provided from the designated video input source device, as provided by independent claims 1, 7 and 13. As such, Geer

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Customer No. 24498
Attorney Docket No. PU030295
Final Office Action Date: December 8, 2008

FEB 20 2009


Response under 37 CFR 1.116
EXPEDITED PROCEDURE
Examining Group 2423

(like Elliot and Gatto) also fails to disclose or suggest the desirability of the claimed solution for providing simplified peer-to-peer recording. Accordingly, claims 5, 11 and 15 are deemed non-obvious over the proposed combination of Elliot, Gatto and Geer, and withdrawal of the rejection is respectfully requested.

Conclusion

In view of the foregoing remarks/arguments and accompanying amendments, the Applicant believes this application stands in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicants' attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled. No fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 07-0832.

Respectfully submitted,


By: Paul P. Kiel
Reg. No. 40,677
Phone (609) 734-6815

Patent Operations
Thomson Licensing LLC
P.O. Box 5312
Princeton, New Jersey 08540

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